

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

LAN UTILITIES ELECTRIC, INC.,

Debtor.

Case No.: 10-76780-ast
Chapter 7

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ALLAN B. MENDELSON as trustee of the
estate of LAN UTILITIES ELECTRIC, INC.,

Plaintiff,

-against-

Adv. Pro. No.: 11-09413-ast

H. SCHACHT ELECTRICAL SUPPLIES, INC.,

Defendant.

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STIPULATION AND ORDER WITHDRAWING COMPLAINT

WHEREAS, on September 27, 2011, Allan B. Mendelsohn, Esq., as the trustee of the estate of LAN Utilities Electric, Inc., the plaintiff (“**Plaintiff**”) herein, filed a complaint (“**Complaint**”) in the above captioned adversary proceeding against H. Schacht Electrical Supplies, Inc., the defendant (“**Defendant**”) herein, for the recovery of a alleged preference payments pursuant to sections 105, 547, 550, and 551 of Title 11 of the United States Code (the “**Bankruptcy Code**”); and

WHEREAS, on October 27, 2011, the Defendant filed an answer to the Complaint setting forth multiple affirmative defenses; and

WHEREAS, the Defendant has provided the Plaintiff with documentation in support of its affirmative defenses.

IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES AND SO

ORDERED THAT:

1. The Plaintiff hereby withdraws the Complaint, with prejudice, in the above captioned adversary proceeding.
2. Each party shall bear its own costs and expenses associated with this action.
3. The Court shall retain jurisdiction over this Stipulation to enforce the terms contained herein and to determine any dispute that may arise hereunder.

Dated: Huntington, New York
December 15, 2011

The Law Offices of Avrum J. Rosen, PLLC
Attorneys for the Plaintiff

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Dated: Melville, New York
December 15, 2011


Macco & Stern, LLP
Attorneys for the Defendant

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SO ORDERED:

Dated: December 16, 2011
Central Islip, New York




Alan S. Trust
United States Bankruptcy Judge